

### REMARKS

The above-identified application is United States application serial number 09/845,390 filed on April 30, 2001. Claims 1-20 are pending in the application. Claims 1-20 are rejected.

#### Rejection of Claims under 35 U.S.C. §103

Claims 1-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Pavley (U.S. Patent No. 6,445,460) in view of Anderson et al (U.S. Patent No. 6,177,956). Regarding all claims, Pavley and Anderson do not disclose either "storing image data elements in an image storage queue in a chronological order based on time of image capture by the camera" or "determining capacity for the camera to add additional image data elements to the image storage queue as a function of said archival status and said chronological order in combination." The Examiner admits, "Pavley does not teach that the images are stored in an image storage queue in chronological order and deleting images based on the time at which the images were captured" but uses Anderson et al to teach the claimed limitations on Column 6, Lines 62-67 and Column 4, Lines 52-61. However, Anderson makes no such disclosure. The input queues (78) referenced by the Examiner are not even used to store images but rather "are data structures comprised of a plurality of data cell "pointers" each corresponding to data cells." Accordingly, the input queues (78) do not store images but instead are used to temporarily hold pointers to data structures holding information about images. Furthermore, Anderson in column 7, lines 4-28, makes clear that the input pointers (78) referenced by the Examiner are not used to store "image data elements in chronological order" or to determine "capacity as a function of archival status and chronological order in combination" but rather are simply buffers used to hold pointers that point to various storage structures including a frame buffer, a RAM disk, and various structures in a working memory during processing of images through the storage structures.

Amended Claims 2 and 17 further distinguish over Pavley in view of Anderson which do not disclose actions including "detecting when the image storage queue is full, determining whether at least one image stored in the image storage queue is marked as archived, and, if at least one image is marked as archived, deleting an oldest archived image from the image storage queue."

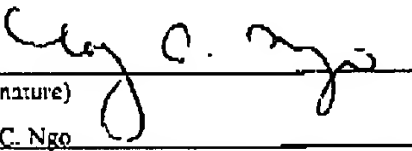
Claims 3 and 8 further distinguish over the combined references which fail to disclose a "naming said filename to indicate said archival status." Pavley in column 5, lines 39-45, does not disclose selection of a filename that indicates archival status.

Claims 12 and 13 further distinguishes over the combined references which fail to disclose "deleting from the memory storage unit at least one said archived image data element according to the chronological order." The Examiner uses Anderson et al to teach the claimed limitations on Column 6, Lines 62-67 and Column 4, Lines 52-61. Anderson does not disclose the claimed action. Input queues (78) referenced by the Examiner are not used to store images but rather "are data structures comprised of a plurality of data cell "pointers" each corresponding to data cells." Input queues (78) do not store images but instead are used to temporarily hold pointers to data structures holding information about images.

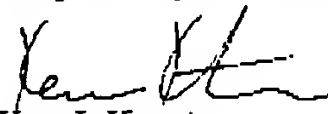
CONCLUSION

The application, including all remaining Claims 1-20, is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned at (949) 251-0250.

I hereby certify that this correspondence is being facsimile transmitted to the USPTO, Central Number at (571) 273-8300 on the date shown below:

  
(Signature)  
Joy C. Ngo  
(Printed Name of Person Signing Certificate)  
January 5, 2006  
(Date)

Respectfully submitted,

  
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